



US Army Corps
of Engineers.

Public Notice

Public Notice No. 04-85

Date: December 17, 2004

Nashville District

Application No. 200402193

Please address all comments to:

Nashville District Corps of Engineers, Regulatory Branch
3701 Bell Road, Nashville, TN 37214

JOINT PUBLIC NOTICE US ARMY CORPS OF ENGINEERS AND STATE OF TENNESSEE

SUBJECT: Proposed Channel Fill and Adjacent Wetland Fill, Unnamed Tributary to Roaring Creek, Johnson County, Tennessee

TO ALL CONCERNED: The application described below has been submitted for a Department of the Army Permit pursuant to **Section 404 of the Clean Water Act (33 U.S.C. 1344)**. Before a permit can be issued, certification must be provided by the State of Tennessee, Division of Water Pollution Control, pursuant to Section 401(a)(1) of the CWA, that applicable water quality standards will not be violated. By copy of this notice, the applicant hereby applies for the required certification.

APPLICANT: Maymead Inc.
1995 Roan Creek Road
Mountain City, Tennessee 37683

LOCATION: Unnamed Tributary to Roaring Creek, Johnson County, Tennessee
USGS: Mountain City, Tennessee Quadrangle
Lon: 81-46-31 Lat: 36-26-03

DESCRIPTION: The applicant proposes to place fill in approximately 1605' of an unnamed tributary and place fill in 0.56 acres of adjacent wetlands. The purpose of the stream and wetland fill is to construct a sediment retention basin to allow the applicant to mine the adjacent area for granite. This proposal is located in an area commercially mined by the applicant. The unnamed tributary and wetlands are degraded by historical and ongoing logging and mining operations.

In addition to the work identified above, the applicant has requested that the Corps of Engineers verify additional project activities that meet the criteria for authorization under the Nationwide Permit Program [January 15, 2002, Federal Register (Vol. 67, No. 10, pg 2020)]. Activities would involve minor stream and wetland fills at Site 2. The applicant's mitigation plan would include appropriate mitigation for these activities.

Mitigation: The applicant proposes to mitigate for the loss of approximately 1636' (Site 1 & 2) of stream channel by the restoration of approximately 1710' of a previously channelized stream. In addition, approximately 2500' of stream length would be enhanced at three locations. The applicant would mitigate for the wetland impacts at Sites 1 & 2 by creating 0.71 acres of wetlands and enhancing 1.62 acres of existing wetlands. Stream loss would be mitigated at a ratio of 4:1 for enhancement and 1.5:1 for restoration. Wetland loss would be mitigated at a ratio of 4:1. All mitigation would be performed onsite and protected by deed restriction. Mitigation areas would be monitored for a period of five years with submission of annual reports of site conditions and recommendations.

Plans of the proposed work are attached to this notice.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b)(1) of the CWA (40 CFR Part 230). A permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

An Environmental Assessment will be prepared by this office prior to a final decision concerning issuance or denial of the requested Department of the Army Permit.

The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known which would be affected by the proposed work. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist

which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the office of the State Historic Preservation Officer and the U.S. Department of the Interior, National Park Service - Atlanta.

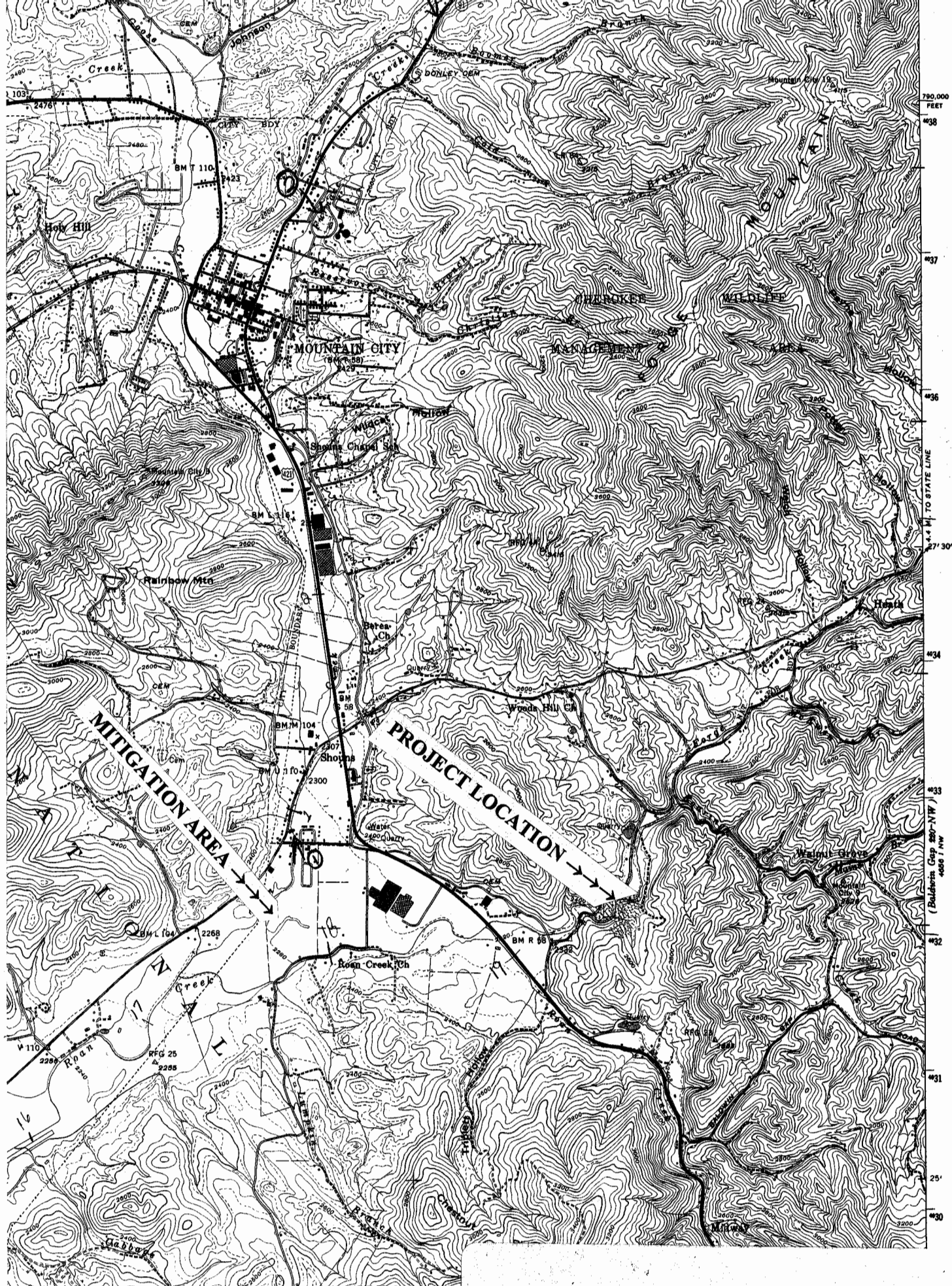
Based on available information, the proposed work will not destroy or endanger any Federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act. Therefore, we have reached a no effect determination and initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

Other Federal, State, and/or local approvals required for the proposed work are as follows:

Water quality certification from the State of Tennessee in accordance with Section 401(a)(1) of the Clean Water Act.

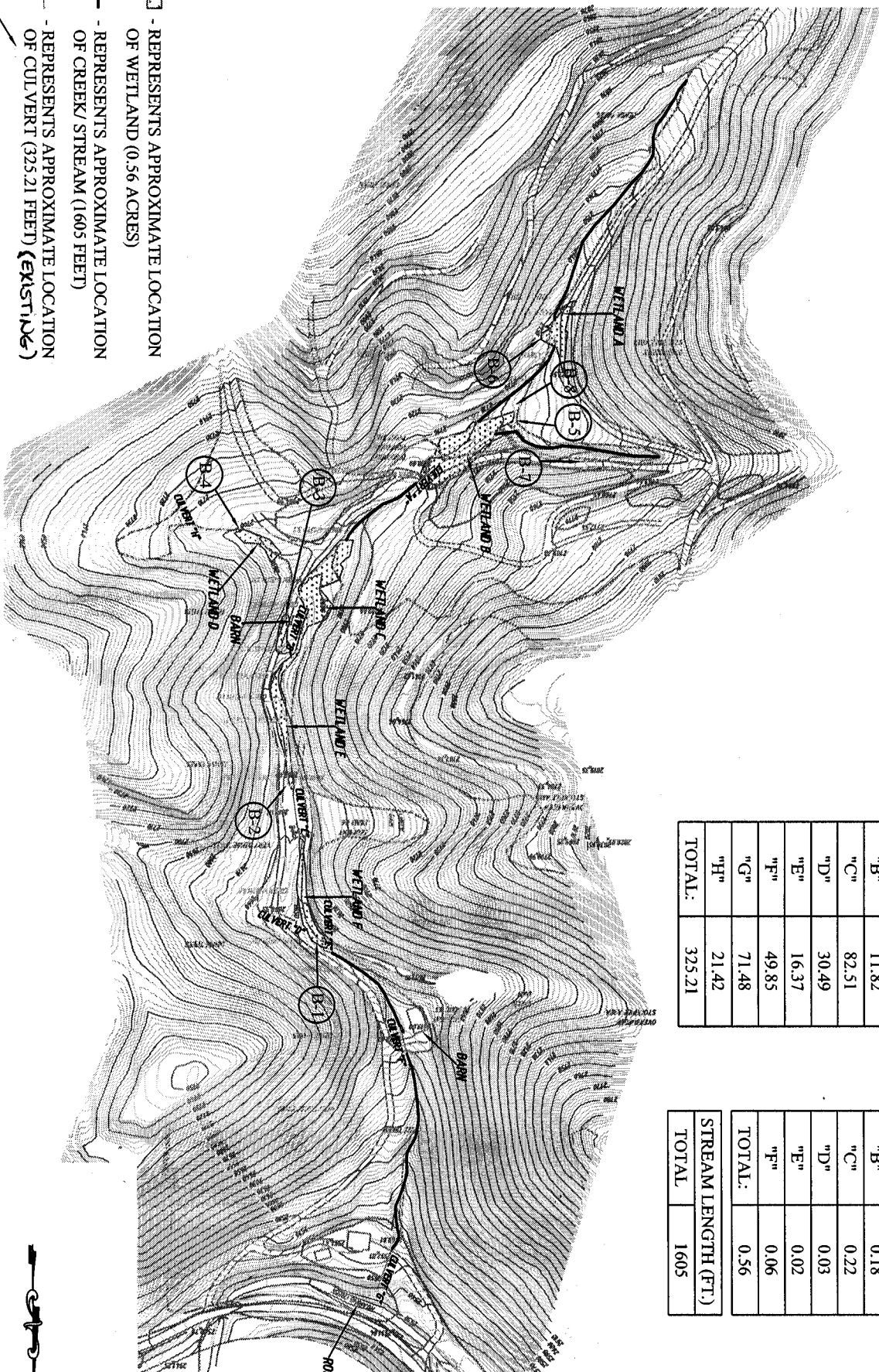
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Written statements received in this office on or before January 17, 2005, will become a part of the record and will be considered in the determination. Any response to this notice should be directed to the Regulatory Branch, Attention: Carl R. Olsen, at the above address, telephone (615) 369-7513.



USGS
MOUNTAIN CITY, TENN.

PN 04-85
FILE NO. 200402193



| CULVERT | LENGTH (ft) |
|---------|-------------|
| "A" | 41.27 |
| "B" | 11.82 |
| "C" | 82.51 |
| "D" | 30.49 |
| "E" | 16.37 |
| "F" | 49.85 |
| "G" | 71.48 |
| "H" | 21.42 |
| TOTAL: | 325.21 |

| WETLAND | AREA (acres) |
|---------|--------------|
| "A" | 0.05 |
| "B" | 0.18 |
| "C" | 0.22 |
| "D" | 0.03 |
| "E" | 0.02 |
| "F" | 0.06 |
| TOTAL: | 0.56 |

| STREAM LENGTH (FT.) |
|---------------------|
| TOTAL 1605 |

- REPRESENTS APPROXIMATE LOCATION OF WETLAND (0.56 ACRES)
- REPRESENTS APPROXIMATE LOCATION OF CREEK/ STREAM (1605 FEET)
- REPRESENTS APPROXIMATE LOCATION OF CULVERT (325.21 FEET) (EXISTING)

B-1 PHOTOGRAPH NUMBERS (REFER TO APPENDIX B)

SCALE: 1" = 250'

CHECKED BY: WKB

DRAWN BY: MKP

DATE: 11-02-04

S&ME

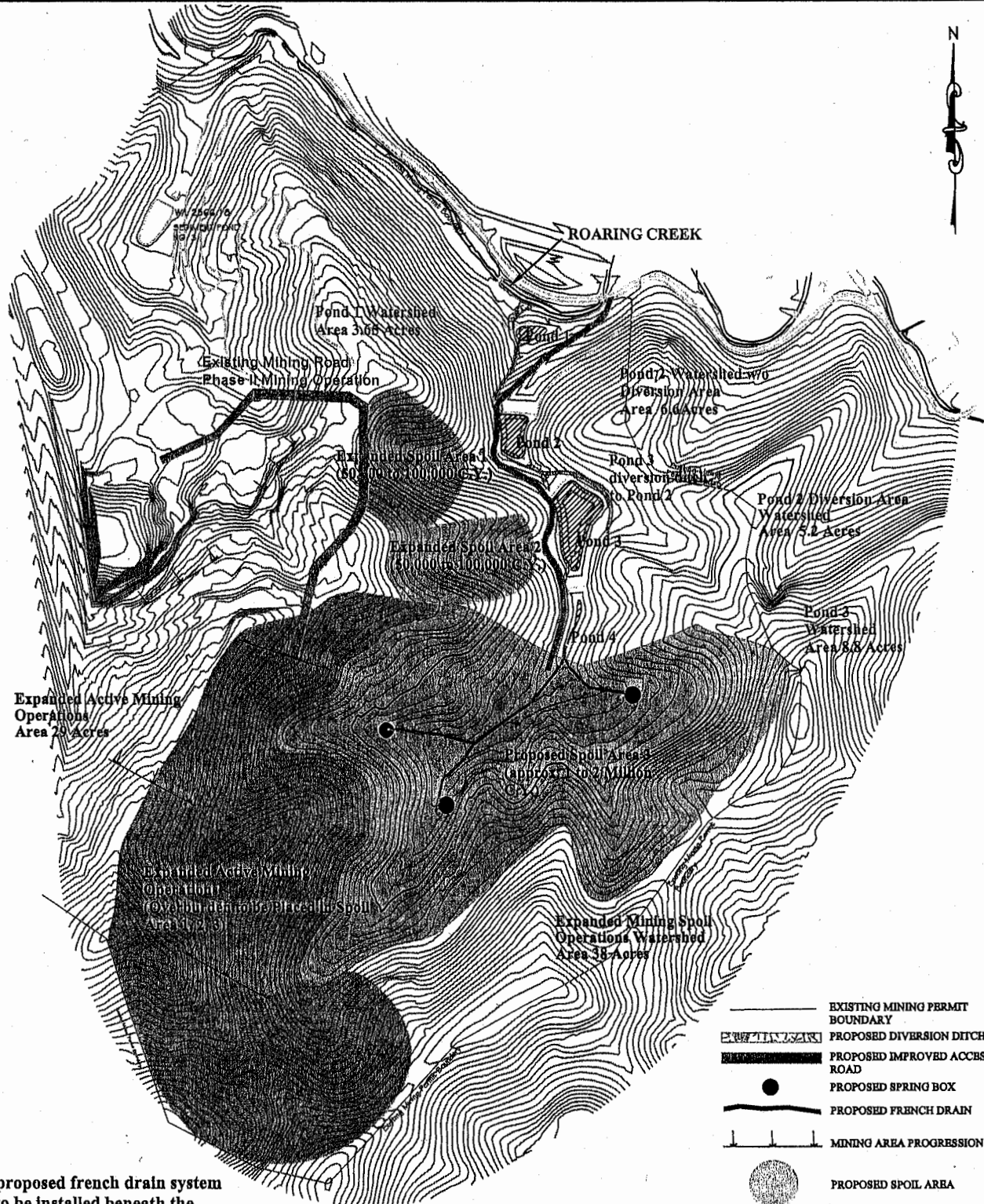
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POTTER QUARRY SITE MAP
SITE #1
MOUNTAIN CITY, TENNESSEE
MAYMEAD, INC.

JOB NO: 1434-02-273

FIGURE NO:
A-3

PN 04-85
FILE NO. 200402193



A proposed french drain system is to be installed beneath the proposed spoil area from the Spring Boxes to the Pond. The French Drain shall discharge above the highest possible water surface of the pond (2680 ft).

| | |
|-------------|-----------|
| SCALE: | 1" = 500' |
| CHECKED BY: | WKB |
| DRAWN BY: | BD |
| DATE: | 11-02-04 |



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| | |
|--|-------------|
| SITE MAP PROPOSED POTTER QUARRY MINE EXPANSION SITE #1 MOUNTAIN CITY, TENNESSEE MAYMEAD, INC. | FIGURE NO: |
| | A-4 |
| JOB NO: | 1434-02-273 |

- NOTES: (1) THIS SURVEY IS SUBJECT TO THE EXACT LOCATION OF THE RIGHT-OF-WAY OF THE HIGHWAY 421.
 (2) DEED REFERENCES: D.B.-149 PG.-4
 (3) TAX MAP 83 PARCEL 58
 (4) PHOTOGRAPHIC LOCATIONS (REFER TO APPENDIX B)
 (5) ADAPTED FROM CIVIL SURVEY PERFORMED BY APPALACHIAN LAND SURVEYING CO.

B-12

PHOTOGRAPHIC LOCATIONS

TED TRIVETTE
 D.B.-162 PG.-219

BOUNDARY LINE

N77°48'06"W
 709.36

PROPOSED
 6' DIA. MANHOLE

EXISTING 36" CULVERT
 LENGTH = 36'

EXISTING CULVERT
 INVERT ELEVATION
 84.44

PROPOSED CULVERT
 INVERT 84.84

EXISTING STREAM
 LENGTH = 36'

PROPOSED CULVERT
 24" CMP OR 18" ADSN12
 LENGTH = 106.5'

EXISTING JURISDICTIONAL WETLAND
 AREA = 0.012 ACRES

EXISTING CULVERT
 INVERT ELEVATION
 86.23

EXISTING 18" CULVERT
 LENGTH = 40'

PROPOSED CULVERT
 INVERT 86.37

EXISTING CULVERT
 INVERT ELEVATION
 86.42

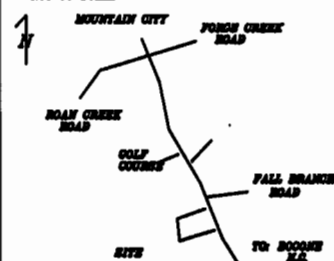
CONCRETE WALL
 ELEVATION BOTTOM
 OF WALL 86.37
 SURFACE WATER
 ELEVATION
 86.37
 ELEVATION
 TOP OF WALL
 86.69

B-10

FILL AREA

B-9

VICINITY MAP
 NOT TO SCALE



THOMAS TODD GRAYSON, RLS 1348
 THOMAS J. KERLEY, RLS 1823
 APPALACHIAN LAND SURVEY CO.
 P. O. BOX 410
 MTN CITY, TN 37683

CAD FILE: S:\2002 PROJECTS\273 MAYMEAD WETLANDS PERMITTING\1434\SURVEY 10.27.04.DWG

SCALE: 1" = 20'

CHECKED BY: WKB

DRAWN BY: BCW

DATE: 10-29-04



SITE MAP WITH PROPOSED CULVERT
 SITE #2
 MAYMEAD PERMITTING
 JOHNSON COUNTY, TENNESSEE

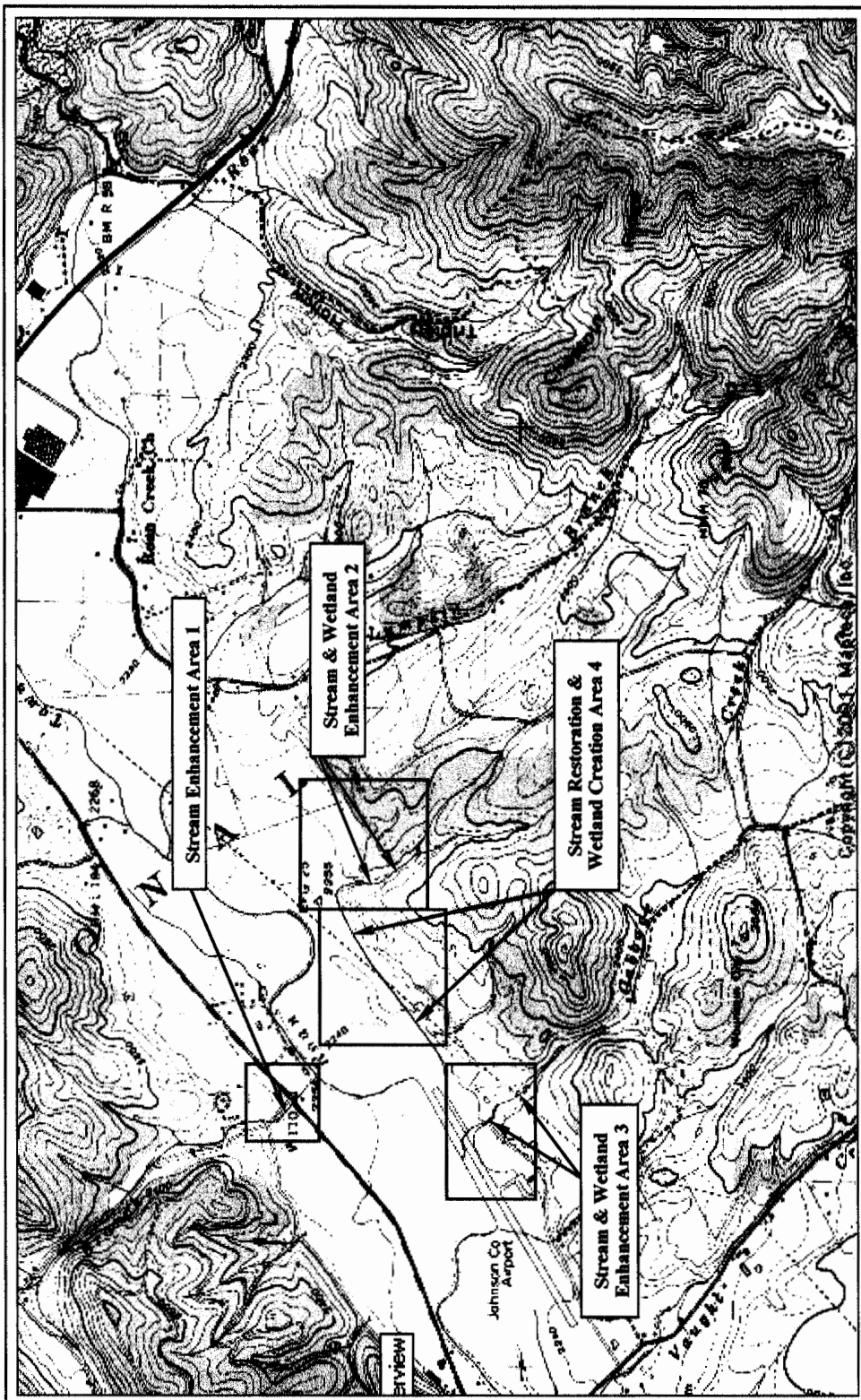
JOB NO:

FIGURE NO:


A-6

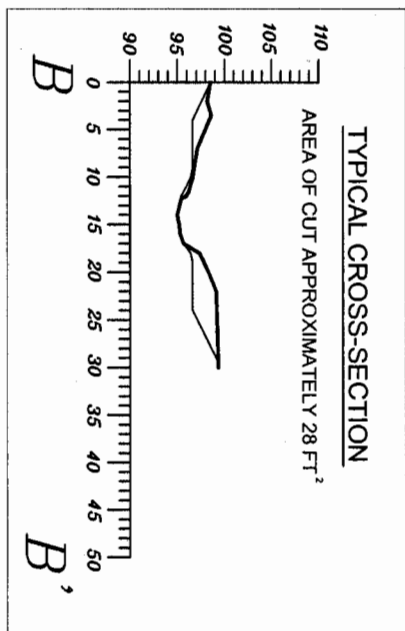
PN 04-85

FILE NO. 200402193



PN 04-85
FILE NO. 200402193

| | | | |
|-----------------|--|--|----------------------|
| Scale: NTS |  | Proposed Stream and Wetland Mitigation Areas Maymead, Inc. Mountain City, Tennessee | Figure C-2 |
| Checked By: EMP | | | |
| Drawn By: BCW | | | |
| Date: 11/22/04 | | Project No: 1434-02-273 | |



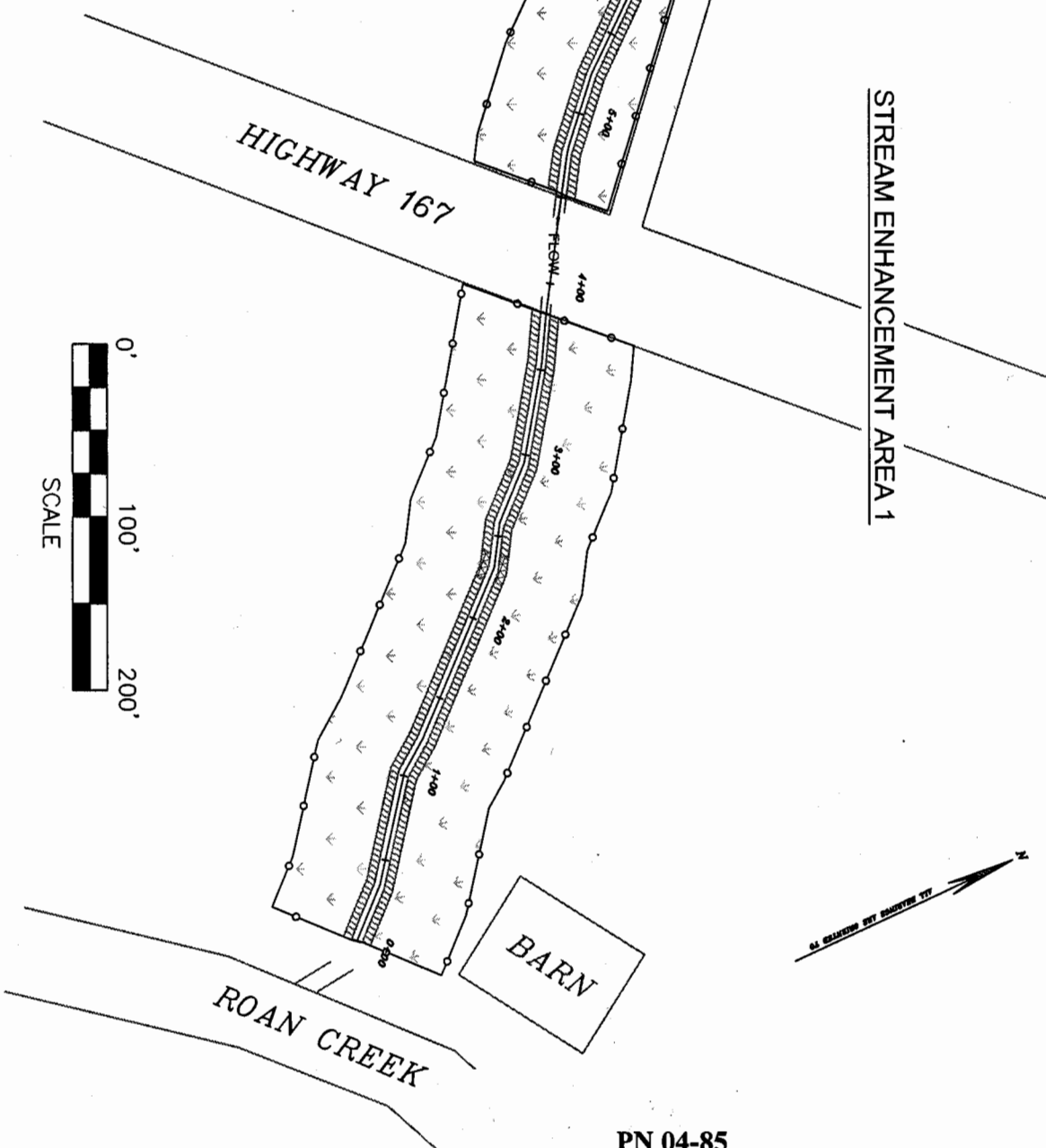
CREATE A FIVE FOOT WIDE BANKFULL BENCH AND SLOPE THE REMAINDER OF THE BANK AT A 2:1 SLOPE TO EXISTING GRADE.

CHANNEL HAS LOST DEFINED BED AND BANK. CREATE BED AND BANK WITH FIVE FOOT WIDE BANKFULL BENCH.

RIPARIAN BUFFER AREA WITH FENCING - 50 FEET WIDE ON EACH SIDE
TO BE PLANTED AT 400 STEMS PER ACRE
TOTAL ACREAGE = 1.61 ACRES
TOTAL FENCE LENGTH = 1927 FEET

D-1 PHOTOGRAPH LOCATION (REFER TO APPENDIX D)

NOTE: STREAM LENGTH = 760 FEET

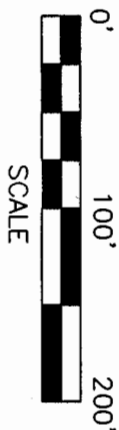


STREAM ENHANCEMENT AREA 1

HIGHWAY 167

BARN

ROAN CREEK



SCALE

BASE MAP PROVIDED BY APPALACHIAN LAND SURVEY CO.

PN 04-85
FILE NO. 200402193

SCALE: 1"=100'

CHECKED BY: EMP

DRAWN BY: MKP

DATE: 11-02-04



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STREAM ENHANCEMENT AREA 1

MOUNTAIN CITY, TENNESSEE

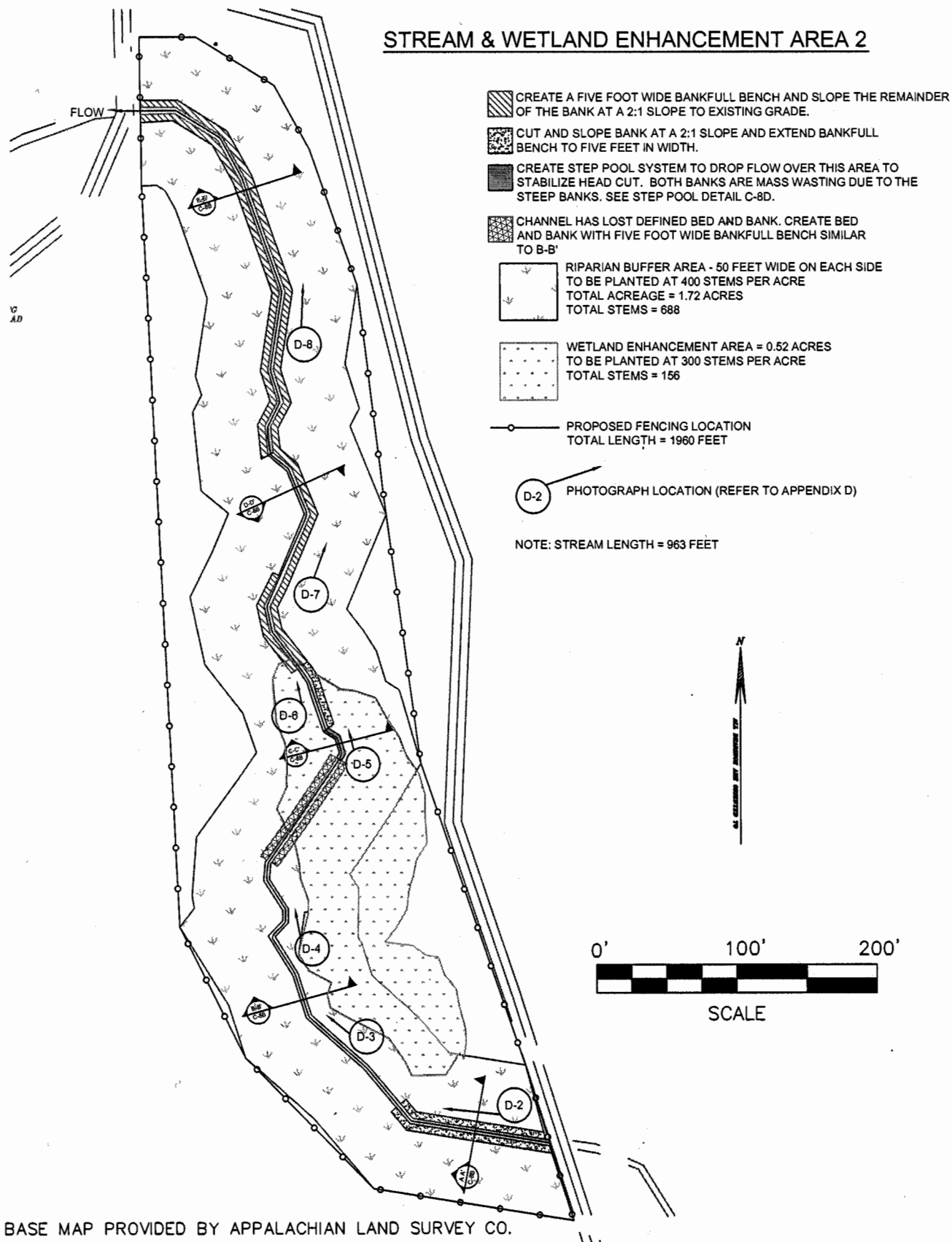
MAYMEAD, INC.

JOB NO: 1434-02-273

FIGURE NO:

C-4

STREAM & WETLAND ENHANCEMENT AREA 2



SCALE: 1" = 100'

CHECKED BY: EMP

DRAWN BY: MKP

DATE: 11-02-04



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STREAM & WETLAND
ENHANCEMENT AREA 2
MOUNTAIN CITY, TENNESSEE
MAYMEAD, INC.

JOB NO:

1434-02-273

FIGURE NO:

C-7A

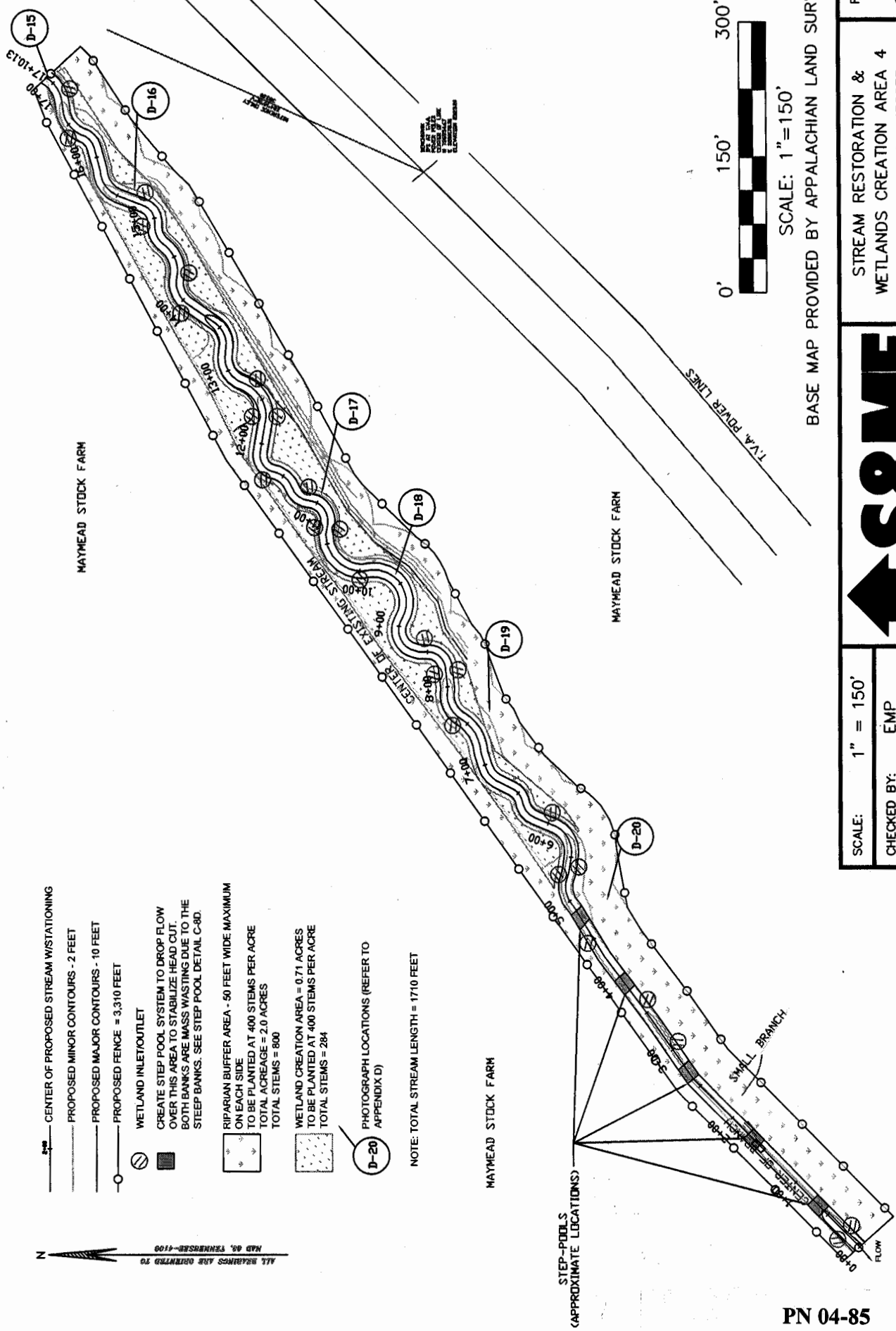
PN 04-85

FILE NO. 200402193

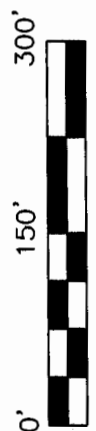
ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED



PN 04-85
FILE NO. 200402193



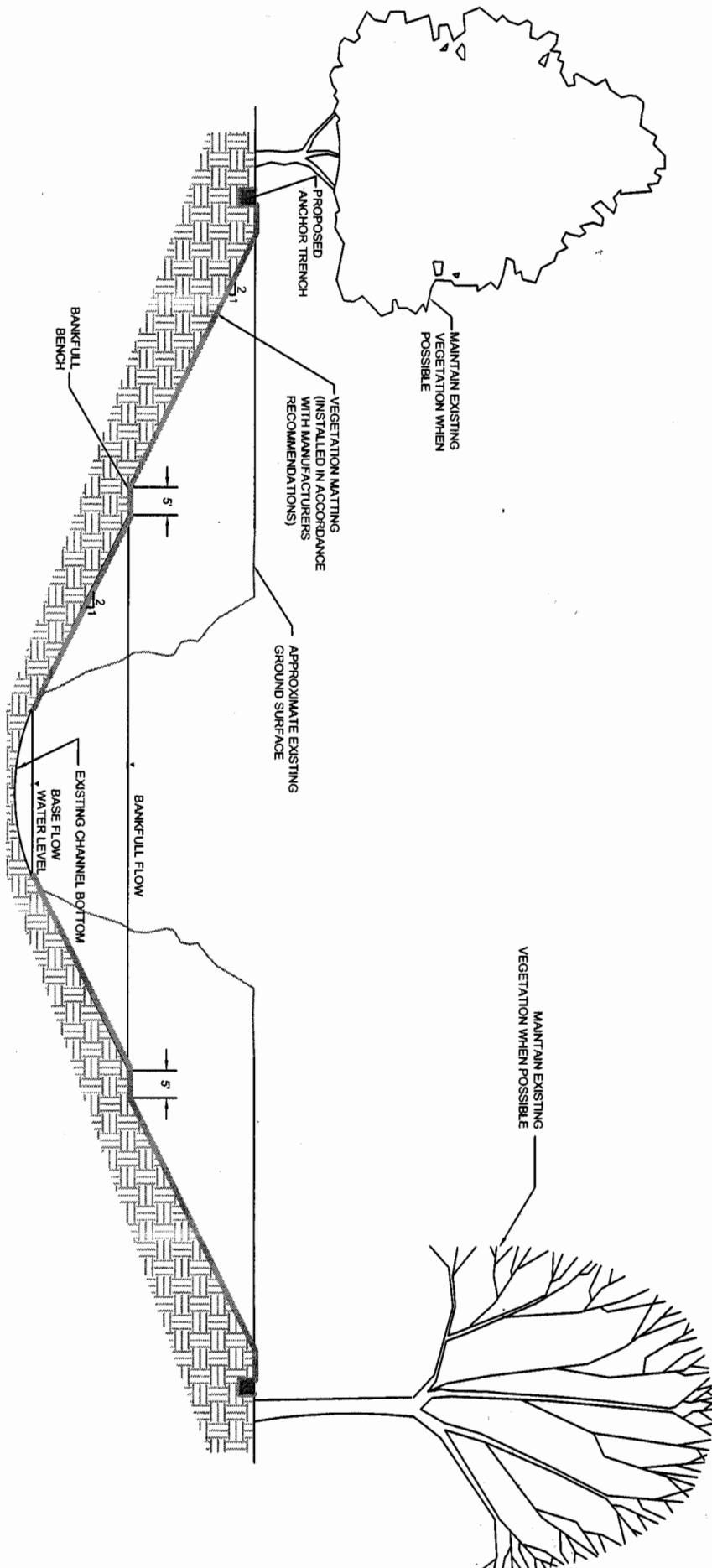
BASE MAP PROVIDED BY APPALACHIAN LAND SURVEY CO.



SCALE: 1"=150'

| | | | |
|---|---|------------------------|-----------------------|
| <p>S&ME ENGINEERING · TESTING ENVIRONMENTAL SERVICES</p> | <p>STREAM RESTORATION & WETLANDS CREATION AREA 4 MOUNTAIN CITY, TENNESSEE MAYMEAD, INC.</p> | | FIGURE NO: |
| | <p>JOB NO: 1434-02-273</p> | | <p>C-10</p> |
| <p>SCALE: 1" = 150'</p> | | <p>CHECKED BY: EMP</p> | <p>DATE: 11-02-04</p> |
| <p>DRAWN BY: MKP</p> | | <p>FIGURE NO: C-10</p> | |

TYPICAL CROSS SECTION



SCALE: NTS

CHECKED BY: WKB

DRAWN BY: MKP

DATE: 11-02-04



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TYPICAL CROSS SECTION

MOUNTAIN CITY, TENNESSEE

MAYMEAD, INC.

JOB NO:

1434-02-273

FIGURE NO:

C-8A

PN 04-85

FILE NO. 200402193